

March 10 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 09-0431

STATE OF MONTANA,

Plaintiff and Appellee,

v.

JERRY PAUL GONZALES,

Defendant and Appellant.

FILED

MAR 10 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA**MOTION FOR EXTENSION OF TIME**

The Appellee, State of Montana, respectfully requests a 30-day extension of time until April 9, 2010, in which to prepare, serve, and file its response brief in the above-entitled matter. The brief is presently due on March 10, 2010, and this is the State's first extension request.

This motion is made due to the heavy workload under which the attorney assigned to this case is presently working, making it impossible to properly research, consider, and brief the issues raised by the Appellant within the time allotted.

Opposing counsel has been contacted concerning this motion, and does not object.

Respectfully submitted this 10th day of March, 2010.

STEVE BULLOCK
Montana Attorney General
Justice Building
P.O. Box 201401
Helena, MT 59620-1401

By:



MICHEAL S. WELLENSTEIN
Assistant Attorney General

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and accurate copy of the foregoing

Motion for Extension of Time to be mailed to:

Ms. Penelope S. Strong
Attorney at Law
2517 Montana Avenue
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Mr. Scott Twito
Deputy Yellowstone County Attorney
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DATED: March 10, 2010

Michael W. Dent